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July 26, 2011

VIA ECF

Hon. Judge Sandra Feuerstein
U.S. District Judge
Eastern District of New York
Long Island Federal Courthouse
944 Federal Plaza
Central Islip, NY 11722

Re: John Paul P. Balingit v. Community National Bank
Corp. and Prestige Employee Administrators, Inc.
CV 11-0440

Dear Judge Feuerstein:

This firm represents the Defendants in connection with the above-referenced matter. On May 18, 2011, Defendants filed a partial motion to dismiss Plaintiff's claims for intentional infliction of emotional distress ("IIED"). Plaintiff did not oppose the motion. At an initial conference on July 7, 2011, Plaintiff's counsel announced his intention to withdraw the IIED claim.

Plaintiff has not yet formally withdrawn his claim, despite counsel's representation that he would file the appropriate documentation with the Court. Defendants therefore request that the Court issue an Order directing that Plaintiff file a Notice of Voluntary Dismissal, so as to clarify that the IIED claims no longer are part of this lawsuit.



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Thank you for your attention to this matter.

Very truly yours,

JACKSON LEWIS LLP

David S. Greenhaus

DSG/laf

cc: Felix Q. Vinluan, Esq. (via ECF)